

## Message Text

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PAGE 01 SUVA 00979 090305Z

ACTION OES-07

INFO OCT-01 EA-10 ISO-00 DLOS-09 EB-08 INT-05 CG-00  
DOTE-00 COME-00 L-03 SP-02 CIAE-00 INR-10 NSAE-00  
/055 W

-----127516 090400Z /11

P R 090050Z JUN 78

FM AMEMBASSY SUVA

TO SECSTATE WASHDC PRIORITY 7493

INFO AMEMBASSY CANBERRA

AMEMBASSY PORT MORESBY

AMEMBASSY TOKYO

AMEMBASSY WELLINGTON

HICOMTERPACIS SAIPAN

C O N F I D E N T I A L SUVA 0979

HICOMTERPACIS FOR STATUS LNO

E.O. 11652: GDS

TAGS: EFIS, PLOS, FJ, XP

SUBJECT: SOUTH PACIFIC REGIONAL FISHERIES ORGANIZATION

1. FOLLOWING BILATERAL NEGOTIATIONS, U.S. AND PNG DELEGATIONS REACHED AGREEMENT OF COASTAL STATES RIGHTS PREVIOUSLY CONTAINED IN ART. II OF DRAFT CONVENTION. NEW TEXT WAS SUBMITTED TO CONFERENCE AS U.S. PROPOSAL AT NIGHT MEETING 8 JUNE AND RECEIVED BROAD SUPPORT. PARTICIPANTS OBVIOUSLY RELIEVED THAT MAJOR HURDLE HAD AT LAST BEEN OVERCOME. FOLLOWING INTRODUCTION OF ARTICLE HEAD OF PNG DEL SABUMEI MADE BRIEF STATEMENT WHICH WAS QUITE FRIENDLY TOWARD U.S. (IN CONTRAST TO GENERAL TONE OF MOST EARLIER PNG STATEMENTS) AND ALTHOUGH FORMALLY RESERVING HIS GOVERNMENT'S ULTIMATE POSITION, APPROVED PLACING TEXT IN SAME STATUS AS OTHER AGREED ARTICLES. PRIVATELY BOTH HE AND LAVENDER STATED THE TEXT HAD BEEN CLEARED WITH PORT MORESBY.

2. NEW ARTICLE REQUIRES PARTIES TO NOTIFY DEPOSITARY IN WRITING  
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PAGE 02 SUVA 00979 090305Z

OF THEIR ASSERTION OF SOVEREIGN RIGHTS WITHIN THEIR 200 MILE ZONE, IT BEING CLEARLY UNDERSTOOD THAT U.S. CAN FILE SUCH AN INSTRUMENT SETTING FORTH IN DETAIL ITS OWN LAW. THESE NOTIFICATIONS THEN ARE RECORDED AS SCHEDULE TO CONVENTION. SECOND PARAGRAPH IS LARGELY NARRATORY, CALLING ON PARTIES TO QUOTE TAKE INTO ACCOUNT UNQUOTE INSTRUMENTS WHICH HAVE BEEN DEPOSITED AND TO COOPERATE TO ENSURE THAT THE OPTCAST PROVISIONS OF ARTICLE XII ARE NOT

INVOKED, AND THAT PARTIES OTHERWISE SHALL CONDUCT THEIR FISHERY RELATIONS IN A REASONABLE MANNER IN ACCORDANCE WITH INTERNATIONAL LAW AND ART. 64 OF ICNT.

3. REFERENCE TO ICNT WAS APPARENTLY OF GREAT IMPORTANCE TO PNG DEL. U.S. POINTED OUT THAT DIRECT REFERENCE TO INFORMAL DOCUMENTS SUCH AS ICNT WAS UNUSUAL IN AN INTERNATIONAL TREATY, BUT THAT WE WOULD INTERPRET LANGUAGE AS REQUIRING ADHIERENCE TO ART 64 IN PRINCIPLE, WHICH WE SUPPORTED. ONLY UK DEL SEEMED TO HAVE SERIOUS PROBLEMS WITH THIS APPROACH, AND HEAD OF UK DEL PROMPTLY TOOK CHAIR AND OVERRULED HIS LEGAL ADVOSIR. PRIVATELY, HE STATED UK MIGHT TRY TO DELETE REFERENCE QUOTE AS DRAFTING MATTER AT ELEVENTH HOUR UNQUOTE, BUT THAT UK HAD NO INTENTION OF BLOCKING THE CONFERENCE ON SUCH AN IMPORTANT MATTER OVER LEGAL NICETIES.

4. US DEL BELIEVES MAJOR HURDLE HAS BEEN PASSED AND CONFERENCE WILL MOVE QUICKLY TO COMPLETE DRAFTING OF CONVENTION.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FISHERIES, NEGOTIATIONS, REGIONAL ORGANIZATIONS, ESTABLISHMENT OF OFFICES  
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**Draft Date:** 09 jun 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Review Markings:**  
Sheryl P. Walter  
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